

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

SONDRA LEE LANE,

Plaintiff,

v.

MARTIN O'MALLEY, Commissioner  
of Social Security,

Defendant.

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CV 624-015

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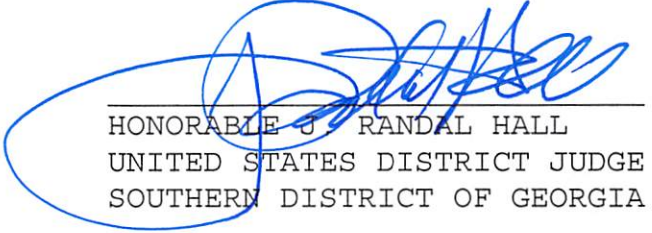
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Before the Court is the Commissioner of Social Security's ("Commissioner") consent motion for remand. (Doc. 5.) The Commissioner moves the Court to remand this case pursuant to the sixth sentence of 42 U.S.C. § 405(g). (Id. at 1-2.) Under that sentence, "[t]he [C]ourt may, on motion of the Commissioner . . . made for good cause shown before the Commissioner files the Commissioner's answer, remand the case to the Commissioner . . . for further action." 42 U.S.C. § 405(g). The Commissioner represents good cause exists because (1) "the Appeals Council erroneously issued an untimely exceptions notice that failed to provide Plaintiff with court rights," (2) the Social Security Administration "did not timely send Plaintiff a copy of the June 2022 unfavorable decision," and (3) "Plaintiff may have not been able to access all the record." (Doc. 5, at 2.) The Commissioner

provides that, on remand, "the Appeals Council will provide Plaintiff with access to the electronic file, including a copy of the May 12, 2022 hearing recording, and allow Plaintiff an extension of time of at least 30 days from that grant of access . . . to file exceptions." (Id.) The Commissioner also represents Plaintiff's counsel consents to the motion. (Id.)

Upon due consideration, pursuant to sentence six of 42 U.S.C. § 405(g), the Commissioner's motion (Doc. 5) is **GRANTED**, and this action is **REMANDED** for further proceedings. The Clerk is **DIRECTED** to **TERMINATE** all pending motions and deadlines, if any, **REMAND** this action to the Commissioner for further proceedings, and **CLOSE** this case.

ORDER ENTERED at Augusta, Georgia, this 7th day of May, 2024.



HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA